

MEMORANDUM

Agenda Item No. 11(A)(18)

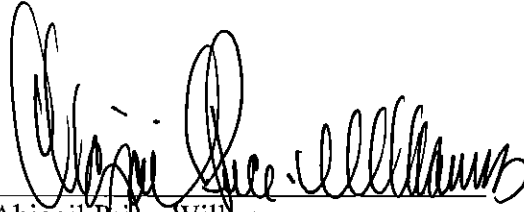
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the Florida Legislature to allocate funding for county conservation land acquisition and management programs, such as Miami-Dade County's Environmentally Endangered Lands Program, from the Florida Water and Land Conservation Initiative, Florida Constitutional Amendment 1; urging the Florida Association of Counties to identify this issue as one of its priorities for the 2017 state legislative session; preliminarily identifying this issue as a critical County priority for the 2017 session; urging other Florida Counties to join Miami-Dade County in pursuing Amendment 1 funding for county conservation land acquisition and management programs

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



Abigail Price-Williams
County Attorney

APW/lmp



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(18)
9-7-16

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ALLOCATE FUNDING FOR COUNTY CONSERVATION LAND ACQUISITION AND MANAGEMENT PROGRAMS, SUCH AS MIAMI-DADE COUNTY'S ENVIRONMENTALLY ENDANGERED LANDS PROGRAM, FROM THE FLORIDA WATER AND LAND CONSERVATION INITIATIVE, FLORIDA CONSTITUTIONAL AMENDMENT 1; URGING THE FLORIDA ASSOCIATION OF COUNTIES TO IDENTIFY THIS ISSUE AS ONE OF ITS PRIORITIES FOR THE 2017 STATE LEGISLATIVE SESSION; PRELIMINARILY IDENTIFYING THIS ISSUE AS A CRITICAL COUNTY PRIORITY FOR THE 2017 SESSION; URGING OTHER FLORIDA COUNTIES TO JOIN MIAMI-DADE COUNTY IN PURSUING AMENDMENT 1 FUNDING FOR COUNTY CONSERVATION LAND ACQUISITION AND MANAGEMENT PROGRAMS

WHEREAS, on November 4, 2014, 75.64 percent of Florida voters approved Florida Constitutional Amendment 1, the Florida Water and Land Conservation Initiative, which authorizes no less than 33 percent of net revenues collected from the existing excise tax on real estate documents (the "documentary stamp tax") to be used to acquire, restore, and improve land and water areas throughout Florida; and

WHEREAS, the revenues collected pursuant to Amendment 1 may be used to help finance the acquisition and management of conservation land in Miami-Dade County; and

WHEREAS, as the most populous county in Florida and with numerous high value properties within its borders, Miami-Dade County generates over \$270 million annually in documentary stamp tax revenue and contributes a significant share of Florida's total documentary stamp tax revenue; and

WHEREAS, documentary stamp tax revenues have historically been used to provide state funding for the purchase of environmentally significant Florida lands, including parks, waterfronts, and trails; and

WHEREAS, Florida is known for its beautiful rivers, lakes, streams, wetlands, forests, wildlife habitat, and beaches and shores, and these natural assets are central to our quality of life and economic vitality; and

WHEREAS, outdoor recreation and tourism is one of Florida's most significant industries, employing one out of every nine residents, drawing 90 million people annually to our state, and contributing \$71 billion to our economy in 2012; and

WHEREAS, in 1990 the citizens of Miami-Dade County voted to create the Environmentally Endangered Lands Program ("EEL Program"), and approved a two-year property tax to fund the EEL Program's acquisition, protection, and maintenance of environmentally endangered lands; and

WHEREAS, the EEL Program and its purchasing partners have brought more than 21,000 acres of environmentally endangered lands into public ownership within the County and manage 2,900 additional acres of natural lands within Miami-Dade County Parks; and

WHEREAS, these environmentally endangered lands contain many treasured natural resources that contribute greatly to the recreational opportunities and quality of life enjoyed by Florida residents and visitors alike; and

WHEREAS, Miami-Dade County's environmentally endangered lands provide many critical public services to our residents and visitors, such as protecting against saltwater intrusion, reducing stormwater runoff from polluting surface waters and Biscayne Bay, providing

aquifer recharge and wellfield protection, providing carbon sequestration, preventing algae blooms, protecting numerous species, and habitat conservation; and

WHEREAS, the County has focused its efforts on environmentally endangered land acquisition in areas such as the Dade County Archipelago (consisting primarily of globally imperiled Pine Rocklands and Tropical Hardwood Hammocks), Biscayne Coastal Wetlands, and the South Dade Wetlands; and

WHEREAS, with support from Florida's governors and legislatures from 1990 through 2008, two state programs, Preservation 2000 and Florida Forever, received approximately \$300 million in state funding each year; and

WHEREAS, the EEL Program has benefited directly from state land conservation management and restoration programs funded through Preservation 2000, Florida Forever, and the Florida Communities Trust by receiving over \$14.5 million in grants from these programs; and

WHEREAS, Miami-Dade County, primarily through the EEL Program, has worked in partnership with state agencies to acquire almost 9,000 acres of conservation land titled to the state; and

WHEREAS, the EEL Program has acquired another 12,000 acres of conservation lands titled to the county; and

WHEREAS, the EEL Program spends over \$3 million annually on the management of these state and county-owned conservation lands; and

WHEREAS, while the Amendment 1 portion of the documentary stamp tax revenue totaled over \$800 million, the state's fiscal year 2016-2017 budget has allocated just \$15 million

for Florida Forever funding and \$21 million for beach projects, but over \$187 million for salaries and operating expenses; and

WHEREAS, this Board has passed Resolution Nos. R-173-15 and R-949-15, both of which urged the state legislature to allocate funding for Miami-Dade County's EEL Program; and

WHEREAS, a number of counties in Florida have environmentally endangered land programs similar to Miami-Dade County's program; and

WHEREAS, Miami-Dade County would like to partner with other counties in Florida that have environmentally endangered land acquisition programs to pursue state funding; and

WHEREAS, acquisition, management, and restoration of conservation lands requires a sustainable, dedicated source of funding,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to allocate funding for county conservation land acquisition and management programs, such as Miami-Dade County's Environmentally Endangered Land program, from the Florida Water and Land Conservation Initiative, Florida Constitutional Amendment 1.

Section 2. Urges the Florida Association of Counties to include securing funding for county conservation land acquisition and management programs, such as Miami-Dade County's Environmentally Endangered Land program, from the Florida Water and Land Conservation Initiative, Florida Constitutional Amendment 1, as one of its critical priorities for the 2017 state legislative session.

Section 3. Preliminarily identifies the issue set forth in Section 1 above as a critical County priority for the 2017 state legislative session.

Section 4. Urges all Florida counties with conservation land acquisition and management programs to join Miami-Dade County in pursuing funding for their respective initiatives through the Florida Water and Land Conservation Initiative, Florida Constitutional Amendment 1.

Section 5. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation, the County Administrator or other chief administrative officer of each of the other 66 counties in Florida, and the Executive Director of the Florida Association of Counties.

Section 6. Directs the County's state lobbyists to advocate for the issues raised in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2017 State Legislative Package when it is presented to the Board and to preliminarily identify this item as a critical priority when the Board determines priorities for the 2017 session as provided in Resolution No. R-764-13.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman

Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Dennis C. Moss

Sen. Javier D. Souto

Juan C. Zapata

Daniella Levine Cava

Audrey M. Edmonson

Barbara J. Jordan

Rebeca Sosa

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of September, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Javier Zapata

